

Appl. No. 10/628 190
Atty. Docket No. NW-1
Amdt. dated 7-14-2004
Reply to Office Action of 6-9-2004

AMENDMENTS TO THE CLAIMS

1. (Currently amended) A file marker device adapted for use with a folder comprising a front flap having a first top edge, a rear flap connected to the front flap by a folder bottom, the rear flap having a second top edge, the folder comprising a plurality of equally spaced parallel slots near at least a first or second top edge, the device comprising:

a support portion having two flexible, opposed end tabs, having suitable shape for insertion into said slots of said folder~~each of said end tabs being capable of engaging one of the plurality of equally spaced parallel slots~~; and

an indicator arm moveably attached to said support portion, said indicator arm being moveable about a pivot point from a first position to a second position.
2. (Cancelled) ~~The file marker device of Claim 1, wherein said device is adapted for use with a hanging folder.~~
3. The file marker device of Claim 1, wherein said device additionally comprises a shield member joined to and extending from said support portion, said shield member being in facing relationship with said support portion, and said indicator arm being disposed between said support portion and said shield portion.
4. (Cancelled) ~~The file marker device of Claim 1, wherein said device additionally comprises a portion adapted for exhibiting identifying indicia.~~
5. The file marker device of Claim 1, wherein said support portion and said indicator arm are comprised of a material chosen from the group consisting of: metal, paper, and plastic.
6. The file marker device of Claim 5, wherein said support portion and said indicator arm are comprised of plastic chosen from the group consisting of: polyethylene, polypropylene, polystyrene, polyethylene terephthalate (PET polyester), vinyl and blends thereof.

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7. (Currently amended) A file marker device ~~adapted for use with~~ a folder comprising a front flap having a first top edge, a rear flap connected to the front flap by a folder bottom, the rear flap having a second top edge, the file marker device comprising:
- a support portion;
- an elongated indicator arm rotatably connected to said support portion, said elongated indicator arm being rotatable from a first position to a second position in which said indicator arm is disposed substantially perpendicular to said first position; and
- attachment means for attaching said support portion to the folder near one of said first or second top edges of the front or rear flap.
8. The file marker device of Claim 7, wherein said attachment means comprises pressure sensitive adhesive.
9. (Currently amended) The file marker device of Claim 7, wherein said attachment means comprises means for frictionally engaging one of said first or second top edges of the front or rear flap.
10. The file marker device of Claim 7, wherein said device additionally comprises a shield member joined to and extending from said support portion, said shield member being in facing relationship with said support portion, and said indicator arm being disposed between said support portion and said shield portion.
11. (Cancelled) ~~The file marker device of Claim 7, wherein said device additionally comprises a portion adapted for exhibiting identifying indicia.~~
12. The file marker device of Claim 7, wherein said support portion and said indicator arm are comprised of a material chosen from the group consisting of: metal, paper, and plastic.
13. (Currently amended) A file marker device for a folder comprising a front flap having a first top edge, a rear flap connected to the front flap by a folder bottom, the rear flap having a second top edge, the file marker device comprising:

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a substantially U-shaped member comprising on one leg of said U-shaped member a support portion for attaching to one of said front or rear flaps, and on the other leg of said U-shaped member a shield member;

an elongated indicator arm disposed interiorly of said U-shaped member and being rotatably connected to said U-shaped member, said elongated indicator arm being rotatable from a first position to a second position in which said indicator arm is disposed substantially perpendicular to said first position.

14. (Currently amended) The file marker device of Claim 13, wherein said support portion comprises two opposed flexible end tabs.
15. (Cancelled) ~~The file marker device of Claim 13, wherein said device additionally comprises a portion adapted for exhibiting identifying indicia.~~
16. The file marker device of Claim 13, wherein said U-shaped portion is comprised of a material chosen from the group consisting of: metal, paper, and plastic.
17. The file marker device of Claim 16, wherein said support portion and said indicator arm are comprised of plastic chosen from the group consisting of: polyethylene, polypropylene, polystyrene, polyethylene terephthalate (PET polyester), vinyl and blends thereof.
18. The file marker device of Claim 13, wherein said U-shaped portion comprises an adhesive material on one surface thereof.
19. (Cancelled) ~~The file marker device of Claim 13, wherein said device additionally comprises a portion adapted for exhibiting identifying indicia.~~
20. (Currently amended) The file marker device of Claim ~~13~~¹⁹, wherein said ~~portion adapted for exhibiting identifying indicia~~ device comprises clear plastic adapted for receiving paper strips ~~on which said identifying indicia is disposed~~.